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Attorney for Plaintiff

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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Samuel Burningham,

Plaintiff,

v.

W.K.S Restaurant Corporation,

Defendant.

Case No.: 2:17-cv-00430-BCW

**NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE**

Assigned to Honorable Brooke C. Wells

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(i) and DUCivR 54-1(b) and (d), Plaintiff, Samuel Burningham, hereby voluntarily dismisses this Action without prejudice.

**RESPECTFULLY** submitted on this 12<sup>th</sup> day of January 2018.

/s/ James K. Ord, III  
JAMES K. ORD, III, ESQ.  
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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of January 2018, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF system for filing and caused a true copy of the foregoing document to be served via U.S Mail to the following recipients:

W.K.S Restaurant Corporation  
88 North 1200 East  
Lehi, UT 84043  
*Defendant*

/s/ Lisa Stamper\*

(\* I certify that I have the signed original of this document  
which is available for inspection during normal business  
hours by the Court or a party to this action)